

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL HILL, 90B0732

Plaintiff,

-v-

11-CV-6101CJS
ORDER

PATRICK GRIFFIN, ANGELA BARTLETT,
BRIAN FISCHER, KAREN WEAVER,
JEREMY CLEMENT, JACQULINE MACKEY,
PATRICIA KLAH, GARY BELZ,
KATHLEEN WASHBURN, BELENA KRUSEN,
JOHN VONHAGN, LORI EASTWOOD,
BRIAN EVANS, JAMES GILBERT,
DARRYL FORREST, CAROLYN O'DONAL,
KENNETH PEARLMAN and STEVEN EVERTTS,

Defendants.

Plaintiff, who is incarcerated in the Southport Correctional Facility, has requested permission to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(a) and has both met the statutory requirements and furnished the Court with a signed Authorization. Plaintiff has also requested appointment of counsel. Plaintiff's request to proceed as a poor person is hereby granted. In addition, plaintiff's complaint has been screened by the Court with respect to the 28 U.S.C. §§ 1915(e) and 1915A criteria.

There is insufficient information before the Court at this time to make the necessary assessment of plaintiff's claims under the standards promulgated by Hendricks v. Coughlin, 114 F.3d 390, 392 (2d Cir. 1997), and Hodge v. Police Officers, 802 F.2d 58 (2d Cir. 1986), as issue has yet to be joined. Therefore plaintiff's motion for appointment of counsel is denied without prejudice at this time. It is the plaintiff's responsibility to retain an

attorney or press forward with this lawsuit pro se. 28 U.S.C. § 1654.

The Clerk of the Court is directed to file plaintiff's papers, and to cause the United States Marshal to serve copies of the Summons, Complaint, and this Order upon the named defendants without plaintiff's payment therefor, unpaid fees to be recoverable if this action terminates by monetary award in plaintiff's favor.

Pursuant to 42 U.S.C. § 1997e(g)(2), the defendants are directed to answer the complaint.

SO ORDERED.

S/ MICHAEL A. TELESCA
MICHAEL A. TELESCA
United States District Judge

Dated: March 4, 2011
Rochester, New York